

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

**SOUTHERN APPALACHIAN MOUNTAIN
STEWARDS, SIERRA CLUB, and
APPALACHIAN VOICES,**

Plaintiffs,

v.

CIVIL ACTION NO. 2:14cv0004

PENN VIRGINIA OPERATING CO., LLC,

Defendant/Third-Party Plaintiff,

v.

A&G COAL CORPORATION,

Third-Party Defendant.

**NOTICE OF NO OBJECTION TO CONSENT DECREE and JOINT MOTION FOR
ENTRY**

Plaintiffs hereby give notice that the previously lodged March 9, 2016 Proposed Consent Decree in the above captioned action has been reviewed by the United States, which has stated that it does not object to the decree.

The Proposed Consent Decree (Doc. 109-1) was served on the United States March 14, 2016. On April 29, 2016, the United States filed a letter in which it stated that it had no objections. (Doc. 111). Accordingly, if the Court finds the Consent Decree to be fair, reasonable, and in the public interest, the parties respectfully request that the Court enter the decree.

Respectfully submitted,

For the Plaintiffs Southern Appalachian Mountain Stewards, Appalachian Voices, and Sierra Club:

/s/ Isak Howell
Isak J. Howell (VSB No. 75011)
Appalachian Mountain Advocates
P.O. Box 507
Lewisburg, WV 24901
Phone: (304) 645-9006

Dated: May 3, 2016

For the Defendant Penn Virginia Operating Company, LLC

/s/ Robert G. McLusky
Robert G. McLusky
Jackson Kelly PLLC
500 Lee Street East, Suite 1600
Charleston, West Virginia 25301

Dated: May 3, 2016

For the Third-Party Defendant A&G Coal Corporation:

Maxwell H. Wiegard
Kevin W. Holt (VSB No. 42866)
Gregory D. Habeeb (VSB No. 46926)
Maxwell H. Wiegard (VSB No. 68787)
Gentry Locke Rakes & Moore, LLP
Post Office Box 40013
Roanoke, Virginia 24022-0013

Dated: May 3, 2016